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December 16, 2021

**VIA ECF**

United States District Court  
Eastern District of New York  
Attn: Taryn A. Merkl, U.S.M.J.  
225 Cadman Plaza East  
Courtroom 322N  
Brooklyn, NY 11201-1804

Re: Vasquez v. East Rockaway Center LLC, *et al.*  
Case No.: 1:21-cv-4916 (ARR) (TAM)  
Plaintiff's Status Update

Dear Judge Merkl:

This office represents the Plaintiff in the above-referenced case. Plaintiff writes pursuant to this Court's Order dated December 10, 2021 to provide a status report. Regrettably, Plaintiff cannot this letter jointly as Defendants have repeatedly failed to respond to written communications concerning this case.

Plaintiff amended his complaint on November 12, 2021 based on an Order by the Hon. Allyne R. Ross, U.S.D.J. dated November 1, 2021 permitting Plaintiff to do so. Pursuant to Rule 15 of the Federal Rules of Civil Procedure (hereinafter "Rules" or "Rule"), unless this court orders otherwise, Defendants' response to the amended complaint was to be made within fourteen (14) days after service of the amended complaint. See Fed. R. Civ. P. 15(a)(3).

This date fell on Friday, November 26, 2021 – during Thanksgiving – and Defendants' response to the amended complaint was therefore due on Monday, November 29, 2021. Should Defendants fail to submit a response by Wednesday, December 23, 2021, Plaintiff will thereafter seek the entry of a certificate of default from the Clerk of the Court pursuant to Rule 55. See Fed. R. Civ. P. 55(a).

Plaintiff thanks this honorable Court for its time and attention to this case.

Dated: Forest Hills, New York  
December 15, 2021

Respectfully submitted,

**SHALOM LAW, PLLC**

/s/ Jonathan Shalom

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